

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

WRI INVESTMENTS III LLC,  
a Washington limited liability company,

Plaintiff,

v.

JEFFREY PELOCK, an individual,

Defendant,

and

GRAND POINTE HOMES, INC.,

Garnishee.

Case No. 08 CV 4913

Judge Castillo

Magistrate Judge Valdez

**MOTION FOR CONDITIONAL JUDGMENT  
AGAINST GARNISHEE GRAND POINTE HOMES, INC.**

Pursuant to Federal Rule of Civil Procedure 69, Plaintiff WRI Investments III LLC, (“WRI”), by its undersigned counsel, requests that this Court enter a conditional judgment as provided for by 735 ILCS 5/12-706 against garnishee GRAND POINTE HOMES, INC. (“Garnishee”) in the amount of \$602,733.62 for Garnishee’s failure to answer the garnishment interrogatories. In further support of this Motion, WRI states as follows:

1. On February 15, 2009, Garnishee was served with a non-wage garnishment summons, notice, interrogatories and affidavit. Affidavit of service, together with non-wage garnishment, attached as Exhibit A.

2. The summons required Garnishee to file answers to the garnishment interrogatories by March 2, 2009. Garnishee failed to file answers to the interrogatories by the March 2, 2009 deadline, and, as of the date of filing this Motion, Garnishee has still not filed interrogatory answers.

3. Accordingly, pursuant to 735 ILCS 5/12-706, Plaintiff is entitled to a conditional judgment against Garnishee for the amount due upon the judgment against the judgment debtor, \$602,733.62. Final Judgment attached as Exhibit B.

WHEREFORE, Plaintiff moves the Court to enter a conditional judgment against GRAND POINTE HOMES, INC. in the amount of \$602,733.62.

Dated: March 10, 2009

**WRI INVESTMENTS III LLC**

By: /s/ Amanda E. Adrian  
One of Its Attorneys

Daniel A. Zazove (ARDC No. 03104117)  
Christopher B. Wilson (ARDC No. 06202139)  
Amanda E. Adrian (ARDC No. 06282419)  
Perkins Coie LLP  
131 South Dearborn Street  
Suite No. 1700  
Chicago, Illinois 60603-5559  
Tel: (312) 324-8400  
Fax: (312) 324-9400

*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I, Amanda E. Adrian, an attorney, certify that I caused to be served a true and correct copy of the attached **NOTICE OF MOTION** and **MOTION FOR CONDITIONAL JUDGMENT AGAINST GARNISHEE GRAND POINTE HOMES, INC.** via regular U.S. mail, postage pre-paid, from 131 South Dearborn Street, Suite No. 1700, Chicago, Illinois 60603, on the 10<sup>th</sup> day of March, 2009, upon the following:

Scott N. Schreiber  
Jeffrey J. Stahl  
Stahl Cowen  
55 West Monroe Street  
Suite No. 1200  
Chicago, Illinois 60603

Jeffrey Pelock  
36W538 Michael Court  
St. Charles, Illinois 60175

/s/ Amanda E. Adrian